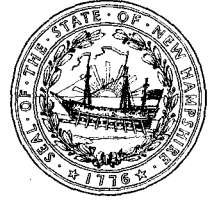




The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

**LETTER OF DEFICIENCY  
WET 05-055**

December 14, 2005

Robert J. LaRochelle, Jr. Trust  
Robert LaRochelle, Trustee  
419 Boynton Street  
Bedford, NH 03110-6420

RE: DES Wetlands File #2005-02233 Remington Road, Thornton

Dear Mr. LaRochelle:

On August 10, 2005, and December 6, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above-referenced property, more specifically referenced on Town of Thornton Tax Map 15 as Lot 6 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and RSA 485-A:17.

During the inspection the following deficiencies were documented:

1. Approximately 13 granite steps had been placed within the bank of the Pemigewasset River without a permit from DES; and
2. Loose fill located on the west side of the detention basin had begun to gully and erode downslope.

In response, you are requested to take the following actions:

1. By January 15, 2006, submit an after-the-fact Standard Dredge and Fill application to retain the granite steps; and
2. By January 15, 2006, submit a stabilization plan to stabilize exposed side slopes along the detention basin. Include the following in the restoration plan:
  - a. A detailed description of the proposed means of erosion control (silt fence, hay bales, *etc*); and
  - b. A description of the proposed planting and stabilization of the detention basin area.
3. By May 30, 2006, carry out the stabilization only after receiving written approval from DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

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*December 14, 2005*  
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Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for imposition of civil penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon, Compliance Specialist  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Linda Magoon at (603) 271-4056 or by e-mail at [lmagoon@des.state.nh.us](mailto:lmagoon@des.state.nh.us).

Sincerely,



Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7004 0750 0001 2419 2899

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen R. Hamel, Administrator, DES Legal Unit ←  
Jane Kellogg, Pemigewasset River Local Advisory Committee  
Thornton Conservation Commission  
Thornton Board of Selectmen  
USACOE